

\_\_\_\_\_

22 DEC 2005 10/532618 #44

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1458, Alexandria, VA 22313-1450, on the date shown below.

Dated: 13/20/05 signature:

(Janice Roussel)

Docket No.: 0113873.00124US2 (PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Dov TAMARKIN et al.

Application No.: 10/532618

Confirmation No.: 9411

Filed: April 25, 2005

Art Unit: 1614

For: COSMETIC AND PHARMACEUTICAL

Examiner: Not Yet Assigned

FOAM

## **INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is being filed prior to the mailing date of a first Office Action on the merits. No fee is required.

Applicants request that the Examiner initial and return a copy of the enclosed Form PTO SB-08 with the next communication.

Dated: December 20, 2005

Respectfully submitted,

Mary Rose Scozzafava

Registration No.: 36,268

WILMER CUTLER PICKERING HALE AND

DORR LLP

60 State Street

Boston, Massachusetts 02109

(617) 526-6000

Attorney for Applicant

PTO/SB/08a/b (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

S	ubstitute for form 1449A/B/P1	го		Complete if Known		
				Application Number	10/532618-Conf. #9411	
] [	<b>NFORMATION</b>	N DI	SCLOSURE	Filing Date	April 25, 2005	
9	STATEMENT I	BY /	APPLICANT	First Named Inventor	Dov TAMARKIN	
				Art Unit	1614	
	(Use as many sh	eets as	s necessary)	Examiner Name	Not Yet Assigned	
Shee	Sheet 1 of 3		Attorney Docket Number	0113873.00124US2		

	U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> ( if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
	AA*	US-2002/0035046	03-21-2002	Lukenbach et al.	, iga.iss / ppss.			
	AB*	US-2002/0033040		Miller et al.				
	AC*	US-2002/0098215		Douin et al.				
	AD*	US-2004/0151671		Abram et al.				
-	AE*	US-2004/0265240		Tamarkin et al.				
	AF*	US-2005/0031547		Tamarkin et al.				
	AG*	US-2005/0069566		Tamarkin et al.	<del></del>			
	AH*	US-2005/0074414		Tamarkin et al.				
	Al*	US-2005/0075407		Tamarkin et al.				
	AJ*	US-2005/0079139		Jacques et al.				
	AK*	US-2005/0186142-A1		Tamarkin et al.				
	AL*	US-2005/0186147-A1		Tamarkin et al.				
	AM*	US-2005/0205086-A1	09-22-2005	Tamarkin et al.				
	AN*	US-3,912,665		Spitzer et al.				
-	AO*	US-4,145,411	03-20-1979	Mende				
	AP*	US-4,271,149	06-02-1981	Winicov et al.				
	AQ*							
	AR*	US-4,529,601	07-16-1985	Broberg et al.				
		US-4,808,388	02-28-1989	Beutler et al.				
	AS*	US-4,837,378	06-06-1989	Borgman				
	AT*	US-4,874,794	10-17-1989	Katz				
	AU*	US-4,981,677	01-01-1991	Thau				
	AV*	US-5,002,680	03-26-1991	Schmidt et al.				
	AW*	US-5,034,220	07-23-1991	Helioff et al.				
	AX*	US-5,071,648	12-10-1991	Rosenblatt				
	AY*	US-5,143,717	09-01-1992	Davis				
	AZ*	US-5,171,577	12-15-1992	Griat et al.				
	AA1*	US-5,254,334	10-19-1993	Ramirez et al.				
	AB1*	US-5,262,407	11-16-1993	Leveque et al.				
	AC1*	US-5,326,557	07-05-1994	Glover et al.				
	AD1*	US-5,411,992	05-02-1995	Eini et al.				
	AE1*	US-5,435,996	07-25-1995	Glover et al.				
	AF1*	US-5,534,261	07-09-1996	Rodgers et al.				
	AG1*	US-5,536,743	07-16-1996	Borgman				
	AH1*	US-5,545,401	08-13-1996	Shanbrom				
	Al1*	US-5,589,515	12-31-1996	Suzuki et al.				
	AJ1*	US-5,635,469	06-03-1997	Fowler et al.				
	AK1*	US-5,641,480	06-24-1997	Vermeer, R.				
	AL1*	US-5,672,634	09-30-1997	Tseng et al.				
	AM1*	US-5,679,324	10-21-1997	Lisboa et al.				
	AN1*	US-5,700,396	12-23-1997	Suzuki et al.				
	AO1*	US-5,716,611	02-10-1998	Oshlack et al.				
	AP1*	US-5,759,520	06-02-1998	Sachetto				
	AQ1*	US-5,783,202	07-21-1998	Tomlinson et al.				
	AR1*	US-5,840,744	11-24-1998	Borgman				
	AS1*	US-5,922,331	07-13-1999	Mausner				

Examiner	Date	
Signature	Considered	

PTO/SB/08a/b (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Sut	estitute for form 1449A/B/F	то		Complete if Known		
				Application Number	10/532618-Conf. #9411	
IN	<b>NFORMATIO</b>	N DI	SCLOSURE	Filing Date	April 25, 2005	
s	TATEMENT	BY /	APPLICANT	First Named Inventor	Dov TAMARKIN	
				Art Unit	1614	
	(Use as many s	heets as	necessary)	Examiner Name	Not Yet Assigned	
Sheet	Sheet 2 of 3		Attorney Docket Number	0113873.00124US2		

AT1*	US-5,951,993	09-14-1999	Scholz et al.	
AU1*	US-5,961,957	10-05-1999	McAnalley	
AV1*	US-5,972,310	10-26-1999	Sachetto	
AW1*	US-5,993,846	11-30-1999	Friedman et al.	
AX1*	US-6,093,408	07-25-2000	Hasenoehrl et al.	
AY1*	US-6,113,888	09-05-2000	Castro et al.	
AZ1*	US-6,121,210	09-19-2000	Taylor	
AA2*	US-6,126,920	10-03-2000	Jones et al.	
AB2*	US-6,187,290	02-13-2001	Gilchrist et al.	
AC2*	US-6,251,369	06-26-2001	Stoltz	
AD2*	US-6,258,374	07-10-2001	Friess et al.	
AE2*	US-6,333,362	12-25-2001	Lorant	
AF2*	US-6,358,541	03-19-2002	Goodman	
AG2*	US-6,383,471-B1	05-07-2002	Chen et al.	
AH2*	US-6,410,036	06-25-2002	De Rosa et al.	
Al2*	US-6,423,323-B1	07-23-2002	Neubourg	
AJ2*	US-6,468,989-B1	10-22-2002	Chang et al.	
AK2*	US-6,524,594	02-25-2003	Santora et al.	
AL2*	US-6,536,629	03-25-2003	van der Heijden	
AM2*	US-6,544,530	04-08-2003	Friedman	
AN2*	US-6,620,773	09-16-2003	Stork et al.	
AO2*	US-6,730,288-B1	05-04-2004	Abram	

		FOREIG	GN PATENT	DOCUMENTS		
Examiner	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	т6
initials*		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document		٦٣
	BI	EP-0270316	08-06-1988	Pfizer, Inc.		
	BQ_	EP-0488089-A1	06-03-1992	Kali-Chemie Pharma GmbH		
	BE_	EP-0535327	07-04-1993	American Cyanamid Co.		
	BK	EP-0598412	11-19-1993	Medicon Gesellschaf		
	BP	EP-1055425-A2	11-29-2000	Bristol-Myers Squibb Co.		
	BC	IL-0152486-A0	05-29-2003	Eini		
	BJ	JP-2002012513	01-15-2002	Fumiko		
	BA	WO-00/15193	03-23-2000	Soltec Research Pty. Ltd.		
	BN_	WO-01/70242-A2	09-27-2001	Ben Gurion Univ.		
	BH_	WO-02/00820	01-03-2002	Combe International Ltd.		
	BG	WO-02/41847-A1	05-30-2002	Wella Aktiengesellschaft		
	ВО	WO-03/051294	06-26-2003	Medicis Pharmaceuti		
	BF	WO-03/053292	07-03-2003	Femmepharma, Inc.		
	BD	WO-04/112780	12-29-2004	Gal-Derma Research		
	BL	WO-91/11991	08-22-1991	Kabi Pharmacia		
	ВМ	WO-96/19921	04-07-1996	Commonwealth Scie		
	BB	WO-96/27376	09-12-1996	Medeva PLC		Ш

Examiner	Date
Signature	Considered

PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark U.S. DEPARTMENT OF COMMERCE U.S. Patent U.S. DEPARTMENT OF COMMERCE U.S. DEPARTMENT OF U

Sut	estitute for form 1449A/B/P	то		Complete if Known		
				Application Number	10/532618-Conf. #9411	
11	<b>NFORMATIO!</b>	N DI	SCLOSURE	Filing Date	April 25, 2005	
l s	TATEMENT	BY A	APPLICANT	First Named Inventor	Dov TAMARKIN	
		•		Art Unit	1614	
	(Use as many st	neets as	s necessary)	Examiner Name	Not Yet Assigned	
Sheet	3	of	3	Attorney Docket Number	0113873.00124US2	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

	NON PATENT LITERATURE DOCUMENTS							
Examiner Initials	Cite No.1 Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publi and/or country where published.							
	CA	BARRY, B.W. et al, Comparative bio-availability and activity of proprietary topical corticosteroid preparations: vasoconstrictor assays on thirty-one ointments, British Journal of Dermatology, 93, 563-571, 1975.						
	СВ	MARTINDALE, The extra pharmacopoeia [28th] edition, Eds.: Reynolds, J.E.F. and Prasad, A.B., The Pharmaceutical Press, London, pp. 862-864, 1982.						
	CC	TAMARKIN, D., et al. Body Cavity Foam, U.S. Appl. No. 11/116761, filed 04/28/2005.						
	CD	TAMARKIN, D., et al. Moisturizing Foam Containing Lanolin, U.S. Appl. No. 11/099942, filed 04/06/2005.						
	CE	TAMARKIN, D., et al. Nonsteroidal Immunomodulating Kit and Composition and Uses Thereof, U.S. Appl. No. 11/078902, filed 03/11/2005.						
	CF	TAMARKIN, D., et al. Steroid Kit and Foamable Composition and Uses, U.S. Appl. No. 11/114410, filed 04/26/2005.						
	CG	TAMARKIN, D., et al. Vasoactive Kit and Composition and Uses Thereof, U.S. Appl. No. 11/124676, filed 05/09/2005.						
	СН	WORMSER et al. Arch. Toxicol., 71, 165-170, 1997.						
	CI	WORMSER et al. Letters to the Editor, Burns, 24, 383, 1998.						

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	Date	
Signature	Considered	

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.